

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

MATTHEW JONES,

Plaintiff,

16 CIVIL 8080 (JGK)

-against-

CITY OF NEW YORK, et al.,

**[PROPOSED]
JUDGMENT**

Defendants.

WHEREAS, on May 23, 2018, after a Jury Trial before the Honorable John G. Koeltl, United States District Judge, the jury returned a verdict finding that Defendant Lieutenant Christopher Treubig used excessive force against Plaintiff in violation of his constitutional right under the Fourth Amendment; awarding Plaintiff nominal damages in the amount of \$0.25; and additionally awarding punitive damages against Defendant Treubig in the amount of \$30,000.

WHEREAS, the jury's verdict found no liability for defendants Officer Adam Muniz, Officer Michael Vaccaro, and Undercover Officer #349.

WHEREAS, by Opinion and Order dated November 21, 2018, this Court found that Defendant Treubig was entitled to qualified immunity.

WHEREAS, on November 27, 2018, the Court entered a Judgment noting the jury's verdict and damages against Defendant Treubig, granting qualified immunity to Defendant Treubig, and dismissing Plaintiff's Complaint against all defendants with prejudice.

WHEREAS, on June 26, 2020, the U.S. Court of Appeals for the Second Circuit issued an opinion holding that Defendant Treubig is not entitled to qualified immunity as a matter of law and "instruct[ed] that the jury verdict against Lt. Treubig should be reinstated." *Jones v. Treubig*, 963 F.3d 214, 240 (2d Cir. 2020).

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED: The jury's verdict of excessive force against Defendant Lieutenant Christopher Treubig is reinstated; Judgment is entered in favor of Plaintiff against Lieutenant Christopher Treubig in the amount of \$0.25 in nominal damages and \$30,000 in punitive damages; Judgment is entered dismissing Plaintiff's Complaint against defendants Officer Adam Muniz, Officer Michael Vaccaro, and Undercover Officer #349 with prejudice.

Dated: New York, New York
_____, 2020

RUBY J. KRAJICK
Clerk of Court

So Ordered:

BY: _____ Deputy Clerk
HON. JOHN G. KOELTL
United States District Judge